

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CEMENT MASONS PENSION FUND, LOCAL 502; CEMENT MASONS INSTITUTE OF CHICAGO, ILLINOIS; CEMENT MASONS SAVINGS FUND, LOCAL 502; and CEMENT MASONS APPRENTICE EDUCATION AND TRAINING FUND, LOCAL 502,

Plaintiffs,

v.

J & L CONCRETE, INC., an Illinois corporation,

Defendant.

No. 08 C 932

Judge Gettleman

Magistrate Judge Schenkier

MOTION FOR ORDER OF DEFAULT AND JUDGMENT IN SUM CERTAIN

Plaintiffs, by one of their attorneys, DONALD D. SCHWARTZ and ARNOLD AND KADJAN, pursuant to F.R.C.P. 55, respectfully request this Honorable Court to enter an Order of Default as to liability and Judgment in favor of Plaintiffs and against Defendant, J & L CONCRETE, INC., an Illinois corporation.

In support thereof, Plaintiffs state:

1. This case was filed on February 14, 2008.
2. Defendant was served with Summons and Complaint on March 5, 2008.
3. In excess of 20 days have expired since Service of Process, however, Defendant has failed to file an answer or otherwise plead.
4. Per the affidavit of Pat La Cassa, Defendant owes \$9,736.70 for unpaid benefits for July 2007 through October 2007. (Exhibit A)
6. Per the affidavit of Donald Schwartz, attorney for Plaintiffs in legal fees and expenses \$1,300.00 has been incurred in this suit. (Exhibit B)

WHEREFORE, Plaintiffs pray for:

1. An Order of Default against the Defendant.

2. Judgment be rendered in the amount of \$11,036.70 for the Trustees of the Cement Masons Pension Fund Local 502, et. al., and against J & L CONCRETE, INC.

Respectfully submitted,

**TRUSTEES OF THE CEMENT MASONS
PENSION FUND, LOCAL 502, et. al.**

By: s/ Donald D. Schwartz
One of their Attorneys

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